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Subject: Re: Mann v. Plus One, etc.

From: "Deborah MartinNorcross" <dmnorcross@martinnorcross.com>

Date: Tue, Feb 05, 2008 11:12 am

To: "numoh@umohlaw.com" <numoh@umohlaw.com>

Cc: "Harold Derschowitz (x263)" <HDERSCOWITZ@lskdnylaw.com>

If any good faith was evidenced in these responses, I would agree. It is not.

I accept your e-mail as a refusal of our request to answer our interrogatories and document demands properly, and as evidence of an intent to obstruct discovery and to improperly inflate the costs of litigation to these two defendants.

We will provide you with a deficiency letter as you requested. We will include the cost of preparing it in our request for sanctions.

On 2/5/08, numoh@umohlaw.com <numoh@umohlaw.com> wrote:

Deborah--

I don't know what is uncivil about objecting in good faith to interrogatories that violate local rules and the FRCP. My email clearly states that hard copies of the documents and CD referenced in plaintiff's responses were going in the mail to all parties. I also provided names of all witnesses that plaintiff is currently aware of.

Let me remind you of your duty to meet and confer over discovery disputes before approaching the court. If you have any problems with plaintiff's responses, detail them in a deficiency letter.

Uwem I. Umoh
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Brooklyn, NY 11217
718.360.0527
718.360.1916 (Fax)

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----- Original Message -----

Subject: Mann v. Plus One, etc.

From: "Deborah MartinNorcross" <dmnorcross@martinnorcross.com>

Date: Tue, February 05, 2008 9:24 am

To: "numoh@umohlaw.com" <numoh@umohlaw.com>

Cc: "Harold Derschowitz (x263)" <HDERSCOWITZ@lskdnylaw.com>

Dear Uwem:

I sincerely believe in litigating cases as civilly and professionally as possible. That is why I immediately granted your request for an extension of time to respond to our discovery requests.

I have not reviewed what you e-mailed at 11:44 p.m. last night. You have not provided any responsive information or documents. All you have provided are boiler-plate, spurious objections to virtually every request propounded on Ms. Mann by Plus One and Mr. MacDonald. There can be no good faith basis for this lack of compliance with your basic discovery obligations.

Please provide full and complete responses to our clients' interrogatories and document requests by no later than Friday. If you refuse, please so advise me immediately so I can contact the Court. Given the obvious absence of any effort by you and your client to comply with your discovery obligations, I will be seeking sanctions.

I will let you know if we can proceed with Plaintiff's deposition next week when I have had a chance to talk with Harold. I think it is unlikely.

Deborah

--
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